

**ARTZ & ARTZ P.C.  
Law Offices**RECEIVED  
CENTRAL FAX CENTER  
APR 04 2005*Intellectual Property and Technology Related Causes***FACSIMILE TRANSMITTAL SHEET****Fax: (248) 223-9522  
Phone: (248) 223-9500****TO:** Mail Stop Amendment,  
Examiner Henry Choe, Tech  
Center 1150  
**FIRM:** USPTO  
**FAX NO.:** (703) 872-9306=====  
**From:**Justin H. Purcell**Date:**April 4, 2005**Our File No.:**(BOE 0454 PA)**Your Ref. No.:**10/707,151**Comments:**Attached is response to Office Action dated 3/3/05.**Total Pages (incl. Cover sheet):** 3

The information contained in this facsimile message may be confidential and/or legally privileged information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any copying, dissemination or distribution of confidential or privileged information is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and we will arrange for the return of the facsimile. Thank you.

*If there are any problems during transmission, please call:*  
*(248) 223-9500.*

Donna Kraft  
(Operator)

28333 TELEGRAPH ROAD, SUITE 250, SOUTHFIELD, MICHIGAN 48034  
TELEPHONE: (248) 223-9500 -- FACSIMILE: (248) 223-9522

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

APR 04 2005

In Re Application of

Steven O. Lane

Group Art Unit: 1150

Serial No.: 10/707,151

Examiner: Choe, Henry

Filed: 11/24/2003

For: Gain And Phase Balanced Amplifier Redundancy System

Attorney Docket No.: BOE 0454 PA

## CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

## MAILING

☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

## FACSIMILE

☒ transmitted by facsimile to the Patent and Trademark Office at fax number (703) 872-9306.

Signature

Date:

4-4-05

RESPONSE TO RESTRICTION REQUIREMENT

The enclosed reply is submitted in response to the Office Action dated March 3, 2005.

The Office Action required an election of species and a listing of all claims readable thereon. The Office Action alleged there are three patentably distinct species (I, II, III) in the Application including:

- I. Figure 2
- II. Figure 3
- III. Figure 4.

10/707,151

2

BOE 0454 PA

The Applicant, however, respectfully believes there is only one patentable invention illustrated in the Figures and described in the Specification.

All three Figures (Species) illustrate an amplifier redundancy system. To start with, Figure 2 illustrates the system having no amplifier failures. (Detailed Description, ¶ [0029].) Further, Figure 3 illustrates the system of Figure 2 having a failed amplifier. (Brief Description of the Drawings, ¶ [0022]; and Detailed Description, ¶ [0034].) In other words, Figure 3 is merely an illustration of Figure 2 in operation. Also, Figure 4 illustrates an embodiment of Figure 2 having two non-moving switches of Figures 2 and 3 removed and replaced with transmission lines. The transmission lines are designed to have the same phase and amplitude performance over the operating frequency range as the switches being replaced. (Detailed Description, ¶ [0038].) Figure 4 illustrates an embodiment including the patentable elements of Figures 2 and 3 of a redundant amplifier used in place of a failed amplifier through control of input and output switches. Therefore, Figure 4 illustrates the primary patentable elements of Figures 2 and 3 and is not patentably distinct therefrom.

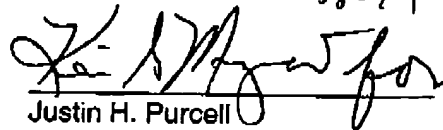
Should the Examiner still believe there are three patentably distinct inventions, the Applicant hereby elects Species I consisting of claims 1-27.

If the Examiner has any further questions, please contact the undersigned. Please charge any additional fees required in the filing of this response to Deposit Account 50-0476.

Respectfully submitted,

ARTZ & ARTZ, P.C.

#38049



Justin H. Purcell  
Reg. No. 53,493  
Artz & Artz, PC  
28333 Telegraph Road, Suite 250  
Southfield, MI 48034  
(248) 223-9500

Date: 4-4-05